

## **REMARKS**

Reconsideration and further examination of the subject patent application in light of the present Amendment and Remarks is respectfully requested. Claims 1–3 and 8–12 are currently pending in the application. Claims 1, 8 and 9 stand rejected. Claims 2–3 and 10–12 were objected to and not examined on their merits.

### **Claim Objections**

The Examiner has objected to Claim 2, 3, 10, 11, and 12 as having improper dependencies. Applicant construes this objection as being made under 32 U.S.C. § 112, fourth paragraph, first sentence, which provides in pertinent part that “a claim in dependent form shall contain a reference to a claim previously set forth”. Claims 2 and 3 are cancelled. New Claims 14 and 15 are added, setting forth again the substance of cancelled Claim 2 and Claim 3 respectively. New claims 14 and 15 depend from Claim 10, which is “previously set forth” within the application.

Claim 10 is amended to depend from Claim 1.

Claim 11 and Claim 12 continue to depend from Claim 10. Applicants suggest that with the correction of the dependency of Claim 10, the dependency in Claim 11 and Claim 12 is more clearly proper under 35 U.S.C. § 112, fourth paragraph. Applicant therefore respectfully request withdrawal of the objection as to Claim 11 and Claim 12, and requests examination of these Claims 10—14 on the merits.

### **Rejections under 35 U.S.C. § 112**

Claims 1 and 9 stand rejected under 35 U.S.C. § 112 2nd ¶.

In claim 1, the indefinite article has been replaced by the definite article in the body of the claims to clarify that the “referencing document”, the “referenced document”, and the

“aggregate document” refer to the same subject matter as the prior recitations in the preamble. It should be noted that the aggregate document index can include index entries on a plurality of aggregate documents, and the use of the singular in the claim is intended to encompass the plural.

Likewise in claim 9, the indefinite article has been replaced by the definite article in the body of the claims to clarify that the “referencing document”, the “referenced document”, and the “aggregate document” refer to the same subject matter as the prior recitations in the preamble.

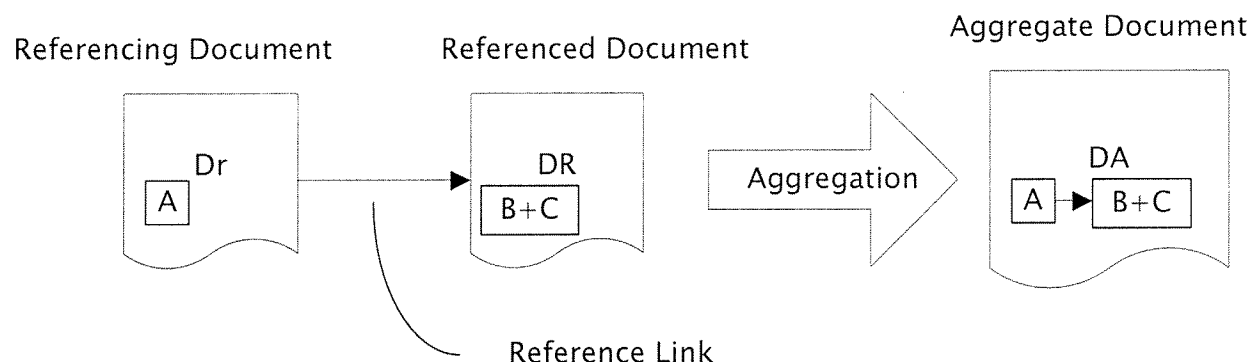
It is believed these amendments to clarify matters of form concerning antecedent basis for subject matter in the claims overcome the Examiner’s concerns under § 112, 2nd ¶. Withdrawal of the rejection is respectfully requested.

#### Rejections under 35 U.S.C. § 103

Claims 1, 8, and 9 stand rejected under 35 U.S.C. § 103(a) as being obvious over U.S. Pat. No. 6,732,086 to Plow in view of US 2002/0052894. Applicant respectfully traverses this rejection.

Applicant claims subject matter including a process and a search engine defined in claims 1 and 7. An embodiment of the process and a corresponding search engine in accordance with the claims defining the present invention allow for indexing an aggregate document for index terms contained in each of the physical documents aggregated in the aggregate document. Such a process allows searching among a collection of documents, the collection comprising a referencing document and a referenced document referenced in the referencing document (See claim 1, lines 1-3).

For the sake of illustration only of one embodiment in accordance with the claims defining the present invention, let Dr be a referencing document containing index term A and DR a referenced document (referenced in Dr) containing index terms B and C.



If a document Dr (containing index term A) references the document DR (containing terms B and C), an aggregate document DA will be formed and indexed, which contains index terms A, B and C. This will subsequently make it possible to retrieve aggregate document DA thanks to any of index terms A, B and C.

In contrast, a method and system in accordance with Plow, includes the following elements:

1) Web sites are searched based on search terms entered (col. 4, lines 50–58). A process and method in accordance with the present invention does not require a search to be performed based on an index of aggregate documents. Instead, conventional techniques are used to search among physical documents. More specifically, Plow recites that “First, a network 50 is searched based on a search term(s), via step 52. Preferably step 52 includes searching all the pages of all the web sites in the network 50, to find the pages that contain the search term(s).” (col. 3, lines 59-61, emphasis added.) Plow reiterates the same point in col. 5, lines 20–22, stating “First, for the web site containing the search term to be mapped determine all the web pages comprising

that web site.” Accordingly, in a system and method in accordance with the teachings of Plow, all the pages of all the web sites must be searched to find the pages that contain the search terms.

2) A list reduced to the web home pages only (which contain relevant web sites found) is produced. More specifically, Plow recites: “a web-searching tool that lists only the home pages representing each of the relevant web sites”. (col. 3, lines 41–42; see also, col. 4, lines 56–58).

Thus, Plow neither discloses nor suggests creating or using an index of aggregated documents, onto which a search is subsequently performed, in accordance with an embodiment of the present invention.

Concerning now Bourdoncle (which is a disclosure by one of the same inventors of the subject matter claimed herein) — Bourdoncle only suggests making use of conventional inverted table indexes, that is, table indices built upon physical documents. In this respect, Bourdoncle recites: “selection of sites or documents among a database of indexed or partially indexed documents or sites, may be carried out in any way known in the art. It is notably possible to use an inverted index, such as the AltaVista Search Developer’s Kit, sold by AltaVista Company.” (par. [0042], cited by the Examiner).

Therefore, combining the teaching of Plow and Bourdoncle cannot lead to an *index of aggregated documents*, as recited in the claims defining the present invention.

Applicant therefore respectfully submits that the subject matter presently claimed is non-obvious over Plow in view of Bourdoncle, and due to be allowed.

In addition, combining the teaching of Plow and Bourdoncle cannot lead to a step of aggregation that would occur prior to the search, as in the present invention. In contrast, the kind of aggregated document represented on Fig. 4 of Plow, as relied upon by the Examiner, is only

obtained **after** the search has been performed. Plow specifically recites: “FIG. 4 depicts a web search results list in accordance with the present invention.” (col. 4, lines 6–7, emphasis added.)

For this additional reason, Applicant respectfully submits that the present invention is non-obvious.

In addition, Plow aims at reducing the number of results, which is in contrast with an embodiment in accordance with the present invention as defined in the claims. Plow recites a method, which

. . . will dramatically reduce the number of result “hits” listed on the results list produced by a conventional web search engine. Tens or hundreds of result pages are potentially eliminated as redundant or useless information identifying a given web site is excluded from the results

(Col 3, line 42.)

In contrast, an embodiment in accordance with the present invention as defined in the claims is likely to yield not only results which are more relevant, but also **more** results.

Indeed, making reference to the illustrative example set forth above in this amendment, an aggregate document DA is formed and indexed from a referencing document Dr (containing term A) and referenced document DR (containing terms B and C). Document DA contains index terms A, B and C. This makes it possible to retrieve aggregate document DA thanks to any of index terms A, B and C. Assume now that a number of aggregated documents are available for search in an embodiment according to the invention as defined in the claims. A query is likely to return a greater number of results. The reason is explained in more detail pages 7–8 of the application filed. As a result, an embodiment in accordance with the present invention as

defined in the claims thus may locate **more** documents than the prior art search engines. (See application page 8, lines 11–12.)

Thus, Plow actually teaches away from the preset invention.

In like manner to the subject matter claimed in Claim 1, the subject matter claimed in Claim 8 and that in Claim 9 is also not obvious over Plow in view of Bourdoncle.

For these reasons, applicant respectfully submits that the claimed subject matter is non-obvious over the prior art and respectfully requests withdrawal of the rejection for obviousness.

#### Closing Remarks

For the foregoing reasons, applicant submits that the subject application is in condition for allowance and earnestly solicits an early Notice of Allowance. Should the Primary Examiner be of the opinion that a telephone conference would expedite prosecution of the subject application, the Primary Examiner is respectfully requested to call the undersigned at the below-listed number.

The Commissioner is hereby authorized to charge any additional fee which may be required for this application under 37 C.F.R. §§ 1.16-1.18, including but not limited to the issue fee, or credit any overpayment, to Deposit Account No. 23-0920. Should no proper amount be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 23-0920.

Respectfully submitted,

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